


10/766,599

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING (37 CFR 1.8i)

I hereby certify that on December 28, 2004, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to MAIL STOP AMENDMENT FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Jessica Brown

Applicant: Howard S. TAYLOR et al.

Serial No.: 10/766,599

Filed: January 27, 2004

Title: NOISE REDUCTION FOR
SPECTROSCOPIC SIGNAL
PROCESSING

Atty. Docket No. 28080-119

Examiner: Daniel R. SELLERS

Group Art Unit: 2644

Confirmation No.: 3408

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56**

Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. The references cited have been disclosed in the International Search Report, dated October 8, 2004, for the PCT application that corresponds to this United States application, PCT/US2004/02348. These references may be material to examination of the above-identified application. Please do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. We enclose copies of the cited documents.

This Information Disclosure Statement is being submitted:

- ☐ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before

the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;

- ☒ 2. After the period specified in paragraph (1) hereinabove of this section, but is being filed before the mailing date of either a final action under 37 CFR 1.113, or a notice of allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:

☒ (a) A statement that either:

- (i) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

OR

- ☐ (b) The fee of \$180 for filing of an Information Disclosure Statement as set forth in 37 C.F.R. 1.17(p).

- ☐ 3. After the period specified in paragraph (2) of this section, but is filed on or before payment of the issue fee and is accompanied by both:

☐ (a) A statement that either:

- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

- ☐ (b) The fee of \$180.00 for filing of an Information Disclosure Statement as set forth in 37 CFR 1.17(p).

Applicant would appreciate the Examiner initialing and signing a copy of Form PTO-1449, transmitted herewith, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for

any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to

Deposit Account No. 501946 referencing order number 28080-119.

December 28, 2004



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/766,599
				Filing Date	January 27, 2004
				First Named Inventor	TAYLOR, Howard S.
				Art Unit	2644
				Examiner Name	Daniel R. SELLERS
Sheet	1	of	2	Attorney Docket Number	28080-119

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document Number Number -Kind Code ² (if known)	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	1	US-5,148,522	09-15-1992	OKAZAKI
	2	US-5,453,940	09-26-1995	BROOMHEAD et al.
	3	US-5,490,516	02-13-1996	HUTSON
	4	US-6,002,480	12-14-1999	IZATT et al.

U.S. PATENT PUBLICATIONS				
Examiner Initials*	Cite No. ¹	Document Number Number -Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	5	US2004/0054479 A1	03-18-2004	TRICKETT

OTHER PRIOR ART – NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	6	HAIMOVICH, A.M. et al. An Eigenanalysis Interference Canceler. IEEE Transactions on Signal Processing, Vol. 39, No. 1, January 1991: pages 76-84.	
	7	WORLEY, J. et al. Application of DSP Techniques to Nuclear Magnetic Resonance Spectroscopy	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language translation is attached.